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VIA ECF AND OVERNIGHT MAIL

March 15, 2019

Hon. Gabriel W. Gorenstein
U.S. District Court
for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Robert Huizenga v. NYP Holdings, Inc., et al. - No. 17-cv-02113 (LTS) (GWG)

Dear Judge Gorenstein:

Pursuant to Your Honor's November 15, 2018 order (ECF No. 86) and Rule 1(E) of Your Honor's Individual Rules of Practice, counsel for Defendants NYP Holdings, Inc. ("NYP"), Joelle Gwynn ("Gwynn") (collectively, "Defendants") and Plaintiff Robert Huizenga ("Plaintiff") (collectively, the "Parties") write jointly to respectfully request a further extension and modification of the deadlines set forth in in the Pre-Trial Scheduling Order in this case (the "Scheduling Order") (ECF No. 32, as amended by ECF Nos. 48, 71, and 86).

The Parties are currently engaged in good faith settlement discussions and are scheduled to meet within the next two weeks to continue those discussions. We believe that an extension of the current discovery schedule will enable the Parties to focus on settlement talks, and to potentially avoid what we expect will be very significant discovery fees and costs in the event a settlement can be reached. Toward that end, the parties intend to suspend depositions and other discovery while these negotiations are ongoing, with one exception. Specifically, after protracted negotiations, the Parties recently entered into a stipulation with non-party NBC Universal ("NBC") pursuant to which NBC will make two witnesses available for deposition on April 10, 2019 in Los Angeles.¹ The stipulation also resolves certain disputes regarding NBC's response to the non-party subpoenas that the Parties have served on NBC to date. The Parties believe that the NBC depositions will inform their settlement negotiations and, given the time and effort expended to schedule these depositions and resolve their outstanding disputes with NBC, do not wish to defer these depositions. However, the Parties agree that it would be productive if further discovery, which will be expensive since it will be focused on depositions (in various locales) as well as expert discovery, can be deferred while they seek to negotiate a settlement.

¹ Conflict counsel Mintz & Gold LLP negotiated the stipulation with NBC on behalf of NYP.

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For the foregoing reasons, the parties respectfully request that the deadline for completion of fact discovery be extended until **July 15, 2019**. The Parties further request that the deadline for expert disclosures and initial expert reports be extended until **July 29, 2019**, with rebuttal expert reports due by **August 29, 2019** and all expert witness discovery completed by **September 27, 2019**. The parties further request an extension of the deadline to file dispositive pre-trial motions until forty-five days thereafter, or on **November 11, 2019**. Finally, the Parties request that the Court adjourn the final pre-trial conference contemplated by Paragraph 9 of the Scheduling Order until **February 28, 2020**. Should the Court grant these requests, the parties acknowledge that the remaining deadlines in the Scheduling Order will be automatically extended and expressly consent to all such extensions. A Proposed Amended Scheduling Order is submitted with this letter.

If Your Honor requires additional information or believes it would be beneficial for the parties to appear before the Court to discuss the foregoing, we are available for a conference at the Court's convenience.

Respectfully submitted,

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cc: Hon. Laura Taylor Swain